

60 Durango 01321

16  
33  
4  
9998

DURANGO CO  
FEB 16  
1993  
PM  
81301-9998

USA  
23  
Mary Cassatt

DURANGO CO  
FEB 16  
1993  
PM  
81301-9998

MR. WAYNE E. WEBSTER  
BOX 592  
ATHENS, TEXAS 75751

1186329 - R8 SDMS

# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

## SCHEDULE A

## COMMITMENT FOR TITLE INSURANCE

1. Effective Date January 27, 1993 at 8:00 A.M.

Case No. 93-2-36

2. Policy or policies to be issued:

(a)

Amount \$ 2,161,250.00

☒ ALTA Owner's Policy - (4-6-90)

☐ ALTA Residential Title Insurance Policy - (6-1-87)

Proposed insured:

RICO INVESTMENT CORPORATION, a Utah Corporation

(b) ALTA Loan Policy - (4-6-90)

Amount \$ 750,000.00

Proposed insured:

RICO DEVELOPMENT CORPORATION, a Colorado Corporation

(c)

Amount \$ \_\_\_\_\_

Proposed insured:

3. Title to the Fee Simple

estate or interest in the land

described or referred to in this Commitment is at the effective date hereof vested in:

RICO DEVELOPMENT CORPORATION, a Colorado Corporation

4. The land referred to in this Commitment is described as follows:

(SEE ATTACHED PAGES)

Countersigned at Cortez, Colorado  
MONTEZUMA-DOLORES TITLE CO.  
Ruth A. [Signature]  
Authorized Officer or Agent

Commitment No. 93-2-36  
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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

## TOWNSHIP 41 NORTH, RANGE 10 WEST, N.M.P.M.

Section 14: SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 35: SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$

## TOWNSHIP 40 NORTH, RANGE 10 WEST, N.M.P.M.

Section 2: NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 20: SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$

The following described property located in the Town of Rico, as per the plat of record in the office of the Clerk and Recorder.

Block 1: Lots 3, 4, 5, 6, Lots 17 through 20, Lots 36 through 40  
Block 2: Lots 9 through 12  
Block 4: Lots 39 and 40  
Block 5: Lots 12, 13 and 14  
Block 6: Lots 39 and 40  
Block 9: Lots 20 through 24  
Block 10: Lots 17 through 40  
Block 11: Lots 3, 4, Lots 11 through 29, Lots 32 through 34  
Block 12: Lots 23 through 26, Lots 31 through 36  
Block 13: Lots 12 through 16  
Block 14: Lots 21 through 28, the North 20 feet of Lot 31 and Lots 32 through 40  
Block 15: Lots 33 and 34  
Block 19: Lots 1 through 3, Lots 6 through 9, Lots 11, 12, Lots 30 through 34, Lots 37 through 40  
Block 20: Lots 9, 21, 22, 28, Lots 31 through 33  
Block 24: Lots 21 through 30  
Block 25: Lots 1 through 4, Lots 7 through 20, Lots 35 through 40  
Block 28: Lots 1 through 4, the West 80 feet of Lots 5 through 20  
Block 29: Lots 1 through 5  
Block 30: Lots 3 through 6  
Block 38: Lots 21 through 40  
Block 39: Lots 1 through 20, Lots 28 through 40

Lot 38, Block A, Piedmont Addition to the Town of Rico, as per the plat of record in the office of the Clerk and Recorder.

Tracts B, C and D, as described in United States Patent for the Townsite of Rico, recorded December 15, 1891 in Book 17 at page 394 in the office of the Clerk and Recorder. EXCEPT all that part of Tract C conveyed in Book 57 at page 374.

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

A tract of land referred to as "Max Boehmer Tract" located within Townsite of Rico, more particularly described as follows: Beginning at Corner No. 1 identical with Corner 31 of the Townsite of Rico, whence as Aspen tree blazed and marked B.T. Corner 31 T.R. bears North 43°58' East 45.6 feet distant; thence South 10° West along West line of the Townsite of Rico 625 feet to Corner No. 2; thence North 51°20' East 511 feet to Corner No. 3 on the West bank of Dolores River, general course, North 10°20' East 629 3/10 feet to Corner No. 4, being the same as Corner No. 32 of Townsite of Rico, also Corner No. 4 of the Burchard Lode, whence a Cottonwood tree 18" in diameter blazed and marked B.T. Corner No. 32, T.R. bears South 82°45' West 5 feet distant; thence South 51°20' West 516.7 feet to Corner No. 1, the place of beginning.

AND

A tract of land referred to as "Rico Smelting Co. Tract" located within Townsite of Rico, more particularly described as follows: Commencing at the Southeast Corner of tract conveyed to J. M. Acker by Mayor of Rico in Deed recorded in Book 10 at page 293; thence South 10° West 270 feet; thence North 80° West 400 feet; thence North 10° East 270 feet; thence South 80° East 400 feet to the place of beginning.

AND

A tract of land referred to as "A. E. Arms Tract" located within Townsite of Rico, more particularly described as follows: Beginning at a point on line 30-31 of the 2nd Amended Survey of the Town of Rico South 10° West 890 feet from Corner No. 31; thence South 10° West 240 feet to a point; thence South 80° East 724 feet to the West line of the Rio Grande Southern Railroad right of way; thence North 8°30' East 240.1 feet; thence North 80° West 717.8 feet to the place of beginning.

AND

A tract of land referred to as "F. G. Day Tract" located within Townsite of Rico, more particularly described as follows: Beginning at a point on line 30-31 of the 2nd Amended Survey of the Town of Rico at South 10° West 1130 feet from Corner No. 31; thence South 10° West 240 feet to a point; thence South 80° East 717.8 feet to the West line of the Rio Grande Southern Railroad right of way; thence North 8°30' East 240.1 feet to a point; thence North 80° West 724 feet to the place of beginning.

AND

A tract of land located within Townsite of Rico bounded by the Winkfield Tract on the North and Pasadena Reduction Company Tract and Rio Grande Southern Railroad Company right of way on the East, the A. E. Arms Tract on the South and the West boundary Second Amended Survey of Rico Townsite and Max Boehmer Tract on the West, more particularly described as follows: Beginning at a point on the West boundary

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

of Second Amended Survey Rico Townsite, which is also the Northwest Corner of tract deeded to A. E. Arms March 13, 1902; thence North  $10^{\circ}$  East 265 feet to a point on the West line Second Amended Survey Rico Townsite which is also the Southwest Corner of tract deeded to Max Boehmer October 10, 1892; thence North  $51^{\circ}20'$  East 511 feet to a point which is also the Southeast Corner of Max Boehmer tract; thence North  $10^{\circ}20'$  East 629.3 feet to a point which is also Corner No. 32 Amended Survey Rico Townsite; thence North  $18^{\circ}40'$  West 178.3 feet to a point on line 32-33 Second Amended Survey Rico Townsite which is also on the South boundary of Winkfield Tract (West of the Dolores River); thence South  $80^{\circ}$  East 399.5 feet to a point which is also the Northwest corner of tract deeded to Pasadena Reduction Company July 15, 1884; thence South  $40^{\circ}04'$  West 401.7 feet to a point which is also the West corner of Pasadena Reduction Company Tract; thence South  $24^{\circ}30'$  East 350 feet to a point which is also the Southwest Corner Pasadena Reduction Co. Tract; thence South  $5^{\circ}18'$  West 801 feet to a point which is also the Northeast Corner A. E. Arms Tract; thence North  $80^{\circ}$  West 717.8 feet to the place of beginning. Also described as "Pasadena Mill Property" and "North A. E. Arms Tract".

AND

A tract of land located in Southwest Corner of Townsite of Rico bounded by F. G. Day Tract, West and South boundaries of Rico Townsite and Rio Grande Southern Railroad right of way, more particularly described as follows: Beginning at a point on line 30-31 of the Second Amended Survey of Rico Townsite which bears South  $10^{\circ}$  West 1370 feet from Corner No. 31 identical with Southwest corner of tract deeded to F. G. Day et al as recorded in Book 33 at page 10 of the records of the office of the County Clerk and Recorder of Dolores County, Colorado; thence South  $10^{\circ}$  West 318.4 feet to a point which is also Corner No. 30 of said survey of Rico Townsite; thence South  $80^{\circ}$  East 724 feet to a point on line 29-30 of said survey of Rico Townsite; thence North  $10^{\circ}$  East 318.4 feet; thence North  $80^{\circ}$  West 717.8 feet (called 724 feet in Deed) to the place of beginning. Also described as "South A. E. Arms Tract".

AND

A tract of land referred to as "Graveyard Tract" located within the Townsite of Rico, more particularly described as follows: Beginning at Corner No. 1 whence the corner common to Sections 35 and 36, Township 40 North, Range 11 West, and Sections 1 and 2, Township 39 North, Range 11 West, N.M.P.M., bears South  $80^{\circ}50'$  East 225 feet distant and Corner No. 21 of Rico Townsite bears North  $68^{\circ}20'$  East 1123.7 feet distant and Northeast Corner of Rico Graveyard bears South  $20^{\circ}57'$  East 341.37 feet distant and Corner No. 3 of Little Ada Claim bears South  $68^{\circ}20'$  West 59.54 feet distant; thence North  $68^{\circ}20'$  West 608.56 feet along the Southerly side line of the Little Ada Mining Claim to Corner No. 2, a point 668.1 feet North  $68^{\circ}20'$  East from Corner No. 3 of Little Ada Claim whence Corner No. 2 of N & M Mining Claim and Corner No. 28 of Rico Townsite bears South  $2^{\circ}10'$  West 99.50 feet distant and Northeast Corner of Rico Graveyard bears South  $39^{\circ}58'$  West

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

716.22 feet distant; thence South 2°10' West 99.50 feet to Corner No. 2 of N & M Mining Claim and Corner No. 28 of Rico Townsite; thence 793.86 feet to Corner No. 3 identical with Corner No. 29 of Rico Townsite; thence North 80° West 466.10 feet to Corner No. 4 at intersection of South end line of Rico Townsite and East side line of Rico Graveyard; thence North 10° East 165.8 feet to Corner No. 5 identical with Northeast Corner of Rico Graveyard; thence North 80° West 160 feet to Corner No. 6 identical with Northwest Corner of Rico Graveyard, whence Corner No. 3 of Little Ada Claim bears North 0°36' West 275.02 feet distant; thence North 10° East 301.53 feet to Corner No. 1, the place of beginning.

AND

A tract of land referred to as "Warner K. Patrick Tract" located within Townsite of Rico, more particularly described as follows: Beginning at a point in line 1-2 of said Rico Townsite whence Corner No. 1 of said townsite bears North 10° East 151.4 feet; thence South 10° West 374.3 feet along said line 1-2 to a point; thence South 63°16' West 404.1 feet to Corner No. 1 of Eighty-eight (88) Lode; thence North 10° East 373.3 feet to Corner No. 6 of Eighty-eight (88) Lode; thence North 63°16' East 404.1 feet to place of beginning. EXCEPT that portion conveyed in Book 253 at page 1.

AND

A tract of land referred to as "Group Tract" located within Townsite of Rico, more particularly described as follows: Beginning at the Northeast Corner on line 16-17 in the Townsite of Rico; thence South 10° West 676 feet to the Southeast Corner which is also Corner No. 17 of Rico Townsite; thence West 1021.8 feet to the Southwest Corner, a post in line 1-2 of the Pasadena Reduction Company Tract; thence North 1°52' West 1052.6 feet to Northeast Corner of J. M. Acker or Winkfield claim; thence North 4°3' West 100 feet to the Northwest Corner, a post; thence North 87°54' East 153.8 feet to a post in the center of River Street; thence South 2°6' East 350 feet along the center line of River Street to a post; thence South 87°54' West 30 feet to a post on the West line of River Street; thence South 2°6' East 600 feet along the West line of River Street to a post; thence North 87°54' East 476 feet to the Southeast Corner of Block 38; thence North 2°6' West 560 feet to the Southeast Corner of Lot 21, Block 10; thence North 87°54' East 116 feet to the Southeast Corner of Block 10; thence North 2°6' West 54 feet to a post; thence South 68°42' East 486.1 feet to the place of beginning.

AND

A tract of land referred to as "Roys Tract" located within Townsite of Rico, more particularly described as follows: Beginning at the Southeast Corner of tract being conveyed whence the Southeast Corner of Block 27 is North 33°31'46" East 213.8 feet and Northeast Corner of Tremble Tract is North 81°11' West 18.4

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

feet; thence North 1°52' West 918.7 feet to Northeast Corner (var. 12°42' East); thence South 88°8' West 628.6 feet to Northwest Corner (var. 13°55' East); thence South 1°52' East 222.5 feet to West angle corner (var. 13°15' East); thence South 27°39' East 705.8 feet to Southwest Corner; thence South 81°11' East 327.3 feet to the Southeast Corner, the place of beginning.

AND

A tract of land referred to as "Tremble Tract" located within Townsite of Rico, more particularly described as follows: Beginning at Southeast Corner of Block 27 (var. 13°45' East), whence Northeast Corner of same is North 1°55' West; thence South 37°50'37" West 222.2 feet to Northeast Corner of tract being conveyed; thence South 4°3' East 688 feet to Southeast Corner; thence North 81°11' West 253 feet to Southwest Corner; thence North 4°3' West 688 feet to Northwest Corner; thence South 81°11' East 253 feet to Northeast Corner, the place of beginning.

AND

A tract of land referred to as "Winkfield Tract East of River" located within Townsite of Rico, more particularly described as follows: Beginning at the Northeast Corner whence the Southeast Corner of Block 27 bears North 5°49' East 866 feet; thence North 88°11' West 253 feet to Corner No. 2; thence North 27°17' West 481 feet to Corner No. 3; thence South 22°12' East 462.1 feet to Corner No. 4; thence South 5° East 200 feet to Corner No. 5; thence South 49°10' West 451 feet to Corner No. 6; thence South 80° East 652 feet to Corner No. 7; thence North 1°52' West 600 feet to Corner No. 1, the place of beginning, all lying East of the Dolores River.

AND

A tract of land located within Townsite of Rico bounded as follows: On the North by the South line of Blocks 12 and 25 and the same line produced to a point 300 feet from and on the West side of centerline of Rio Grande Southern Railroad as constructed; on the East by Mantz Avenue and Lots 1 to 14 inclusive of Block 28; on the South by a parcel of land known as Roys Tract; and on the West by a line drawn on the West side 300 feet from and parallel to the centerline of Rio Grande Southern Railroad as constructed. EXCEPT all that portion conveyed in Deed recorded in Book 197 at page 351. Also described as R.G.S. North Tract. Tract A is included in this description.

AND

A tract of land located within Townsite of Rico bounded as follows: On the North by a tract of land known as Roys Tract; on the East by a tract of land known as Tremble Tract; on the South by a tract of land known as Winkfield Tract; and on the West by a line drawn on the West side 100 feet from and parallel to centerline of Rio Grande Southern Railroad as constructed. Also described as R.G.S. Tract South.

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

AND

A tract of land located within Townsite of Rico described as follows: A strip of land 50 feet wide on each side of center of wye of Rio Grande Southern Railroad as constructed and all land between the legs of said wye as constructed and extended through that part of Winkfield Tract West of a line 100 feet West of and parallel to the main tract of the Rio Grande Southern Railroad as constructed.

AND

The abandoned Rio Grande Southern Railroad right of way extending through the Townsite of Rico.

AND

A tract of land at the East End of Mantz Avenue in Rico Townsite, also being within the NW $\frac{1}{4}$  of Section 36, Township 40 North, Range 11 West, N.M.P.M., being more particularly described as follows: Beginning at a point on the South line of Block 29, Rico Townsite, also being within the NW $\frac{1}{4}$  of Section 36, Township 40 North, Range 11 West, N.M.P.M., from which point the USLM#1 bears North 13°56'45" East a distance of 959.95 feet; thence South 87°53'26" West a distance of 192.60 feet along the South line of said Block 29; thence South 02°06'34" East a distance of 80.00 feet to the Northwest Corner of Block 31; thence North 87°53'26" East a distance of 175.44 feet along the South line of Mantz Avenue; thence North 10°00'00" East a distance of 81.82 feet to the point of beginning.

AND

A tract of land in Rico Townsite, also being within the NW $\frac{1}{4}$  of Section 36, Township 40 North, Range 11 West, N.M.P.M., being more particularly described as follows: Beginning at the Northeast Corner of Block 28, Rico Townsite, also being within the NW $\frac{1}{4}$  of Section 36, Township 40 North, Range 11 West, N.M.P.M.; thence North 02°06'34" West a distance of 80.00 feet to the Southeast Corner of Block 12; thence South 87°53'26" West a distance of 100.00 feet to the Southwest Corner of Lot 20, Block 12; thence South 02°06'34" East a distance of 80.00 feet to the Northwest Corner of Lot 1, Block 28; thence North 87°53'26" East a distance of 100.00 feet to the point of beginning.

AND

Parcels 1, 2, 41 and 42, Atlantic Cable Subdivision, as per the plat of record in the office of the Clerk and Recorder.

EXCEPTING FROM the above described property any portion thereof included in Atlantic Cable Subdivision, Phase II and Atlantic Cable Subdivision, Phase III.

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

SCHEDULE A cont'd.

## PATENTED MINING CLAIMS

CLAIM NAME	PATENT NUMBER	MINERAL SURVEY NUMBER
A.B.G.	20385	6726
AETNA	11399	1956
AETNA	21734	6796
IMP	21734	6796
SAW TOOTH	21734	6796
UTE	21734	6796
ALLEGHANY	9588	1255
ALTA	19105	6191
APEX	29042	11583A
ARGENTINE	37834	15233
JAMES G. BLAINE	37834	15233
CASHIER	37834	15233
WORLDS FAIR	37834	15233
HUMBOLDT	37834	15233
ASPEN	26020	6512
LAST CHANCE	26020	6512
ATLANTIC CABLE	8072	1136
EXCEPT all that part platted into Atlantic Cable Subdivision, Atlantic Cable Subdivision, Phase II and a portion of Lots 9, 28, 31 and 32, Block 20, Town of Rico, and that portion conveyed in Book 57 at page 325 and Book 244 at page 213.		
AVALANCHE	10488	1682
AZTEC MILL SITE	10201	367B
BALD EAGLE	28874	10122
CALEDONIA	28874	10122
LITTLE JOHNNY	28874	10122
BED ROCK	28253	8030
BELL	28159	5911
BERTHA S.	12118	1955A
BIG BLUE	23558	7365
CROWN POINT	23558	7365
BARNUM	23558	7365
BIG STRIKE	23428	7601
DENVER	23428	7601
INDEPENDENT	23428	7601
BLACK CHIEF	10485	1649
BLACK CLOUD	24538	8098
PEWTER DOLLAR	24538	8098
BLACK GEORGE	14477	2485
BLACK HAWK	12183	2060
BLACK NIGHT	26510	8135
BRITTLE SILVER	36682	7458

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NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

BUCKEYE & MACK	24156	7894
described as: Beginning at Corner No. 1 of the Buckeye Lode, which corner is common with Corner No. 1 of the Mac Lode, whence the West Quarter Corner of Section 23, Township 40 North, Range 11 West, N.M.P.M., bears North 54°48' West 1784.2 feet; thence North 45° East 300.0 feet to Corner No. 2 of the Buckeye Lode; thence South 45° East 248.58 feet to the 1/6 Southeast Corner of the Buckeye Lode; thence South 45° West 300.0 feet to the Southwest Corner of the Buckeye Lode, which corner is common with the 1/6 Southeast Corner of the Mack Lode; thence South 45° West 300.0 feet to the 1/6 Southwest Corner of the Mac Lode; thence North 45° West 248.58 feet to Corner No. 4 of the Mac Lode; thence North 45° East 300 feet to Corner No. 1 of the Mac Lode, the point of beginning.		
BUEHLER	1178832	20738
BULLION	23279	7599
BURCHARD	27326	8070
HARDSCRABBLE	27326	8070
LITTLE MAGGIE	27326	8070
C.H.C. (15/16 interest)	9213	1040
C.S.H.H.	19757	6286
C.V.G.	20386	6725
CASELTON	1179249	20740
C.H.R.	1179249	20740
SLIDE	1179249	20740
LITTLE JACK HORNER	1179249	20740
SLIDE TOP	1179249	20740
TIMBERLINE	1179249	20740
TOM THUMB	1179249	20740
CATALPA (1/2 interest)	8071	918
CATSKILL	21923	7062
CEREVUS	646888	19665
X-RAY	646888	19665
LITTLE CASPER	646888	19665
GOLIATH	646888	19665
CHESTNUT	6588	435
CLAN CAMPBELL	16318	1897
COBBLER	17663	5274
COLUMBIA MILLSITE	10202	365B
EXCEPT all that portion conveyed in Deed recorded in Book 57 at page 327.		
CONFIDENCE	9722	1447
CONNECTING LINK	22442	7310
CONTACT	20780	6895
CONFIDENCE	20780	6895
CORNUCOPIA	32435	11667
CREBEC	18911	6130
CROSS	7927	940
D AND BB	25142	8539

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NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

D.P.	14344	1980
DAYTON	23427	2540
DAYTON NO. 2	33881	11636
DUDE	22064	7049
DUDESS	22064	7049
DURANGO	9254	1441
EBY	24278	7066
ECLIPSE	23114	7289
EIGHTY-EIGHT (88)	22232	7348
EXCEPT all that part included in the tract known as Warren K. Patrick Tract lying within the Townsite of Rico and that part conveyed in Book 253 at page 1.		
ELLA D.	19106	5659
ELLIOTT	9764	1536A
ELLIOTT MILLSITE	9764	1536B
ENTERPRISE	28422	5916
ETHELENA (245/256 interest)	18765	6136
EUREKA	11817	1880
EUREKA	28924	6285
EVENING CALL	29041	8029
EVENING STAR	26956	7565
CONTENTION NO. 2	26956	7565
EXCELSIOR	26905	8141
EXCELSIOR NO. 2	26905	8141
EXCELSIOR	9668	1451A
EXCELSIOR MILLSITE	9668	1451B
EXCHEQUER	17909	5132
PREMIER	17909	5132
BOURBON	17909	5132
FALCON	12270	2151
FLORENCE	9667	1452A
FLORENCE MILLSITE	9667	1452B
FRACTION	30807	11814
FRANKLIN	7366	564
GEM OF BEAUTY	9663	1164
GEN. O.O. HOWARD	16680	2478
GENERAL LOGAN	16416	2476
GENERAL SHERIDAN	14426	2479
GENERAL SHERMAN	16417	2477
GERTIE	9508	781
GIPSY	14476	2499
GOLDEN AGE	34279	5956
GOLDEN FLEECE	14294	2261
GRAND VIEW	6761	383
GROUP MILLSITE	29042	11583B
H.B. (2/3 interest)	22008	7013

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RICHMOND, VIRGINIA

SCHEDULE A cont'd.

E.R.G. (2/3 interest)	22008	7013
H.C.P.	23635	7548
HALF LOAF	28486	8017
HIGHLAND CHIEF	28486	8017
LOWLAND CHIEF	28486	8017
LITTLE LULU	28486	8017
LITTLE GEORGE	28486	8017
SHEHOCTON	28486	8017
NANCY HANKS	28486	8017
LITTLE GEORGE EXTENSION	28486	8017
G.L.P.	28486	8017
HAL POINTER	28486	8017
HARVEY	9129	914
HELEN C.	29929	7977
HIAWATHA	28323	6393
HILLSIDE	23559	7994
HILLSIDE NO. 2	23559	7994
HOMESTAKE & LITTLE CORA CONSOLIDATED PLACER	14903	410
HOUNDURAS	24157	7843
HOPE	7929	939
INGERSOLL	11224	413
IRON CAP	14897	1428
IRON ROD	26509	8140
ISABELLE	12321	2039
KEARNEY	17744	5133
KITCHEN	28322	5917
LAST CHANCE	1060874	20388
LAST CHANCE	1111573	20567
LAST CHANCE	27745	8622
LAURA	21317	5913
LEAP YEAR	18985	6105
LELIA DAVIS	9765	1256
LILLIE BERNARD	20177	6406
LITTLE CARRIE	35680	6960
LITTLE MAGGIE	10810	1211
LONE TREE	29858	12303
LOOKOUT	10462	1683
LOTA	19252	6154
LOTTIE	26323	8223
LUCY	12933	1456
MAID OF AUSTRALIA	14553	1587
MAJOR	6494	384
MAMMOTH	1107369	20500
MARIQUITA	9666	1450
MARY	19532	6205

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

MATCHLESS	21733	6739
MC INTIRE	29857	12302
MELVINA	8551	620
MERRIMAC	8170	926
MERVIN	1115034	20619
MARTHA	1115034	20619
MILAN	9665	1449
MILLIE	36498	7988
MISSOURI	25321	7898
MOUNTAIN BOY	1062424	20387
MONARCH	1062424	20387
MOUNTAIN MONARCH	10013	1454
MOUNTAIN SPRING	18766	6129
N. A. COWDREY	20180	6317
NEW DISCOVERY	10483	1461A
NEW DISCOVERY MILLSITE	10483	1461B
NEW YEAR	15070	1538
NEWMAN	14757	436A
NIGHT WATCH	23277	5976
NORA LILLEY	12559	1010
ONTARIO	19246	5923
PASADENA	21176	6434
PAYMASTER	8253	997
PELICAN	6702	363
PERU	9664	1455
PHOENIX	6701	362
PIGEON	7541	665
PITTSBURG	7928	941
PLUTO	21101	6985
PRINCETON (63/64 interest)	19530	2258
REDEEMER	30264	12304
RICHMOND	19395	6338
RICO	18415	1859
ROBBER STATE	10126	1464
ROGER TICHBORNE	23828	7784
ROYAL TIGER	9859	1190
S.M.G.	29831	7986
SAM PATCH	25545	8031
HOME	25545	8031
SANTA CLARA	7519	664
SANTA CRUZ	25864	6132
SELENIDE	36681	7459
SHAMROCK	20389	5832
SILVER AGE	40574	5831
SILVER BELT	27914	8020
ROYAL TURK	27914	8020

Continued on following page

# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE A cont'd.

SILVER CACHE	11225	1655
SILVER GLANCE	29519	6201
SILVER GLANCE NO. 2	29519	6201
SILVER GLANCE NO. 4	28485	7976
SKEPTICAL NO. 1	14292	1900
SMUGGLER	18913	5912
EXCEPT all that portion described as Lots 10 to 24, inclusive, and Lots 26 to 28, inclusive, of Block 18, Lots 11 to 12, inclusive, and Lots 30 to 31, inclusive of Block 19; Lots 21 to 22, inclusive, and a portion of Lots 28, 31 and 32, Block 20, Town of Rico.		
SNOW FLAKE	19248	6216
SNOWFLAKE	25700	5909
SONG BIRD	28294	6392
SOUTH PARK	23203	1563
STANLEY NO. 1	19393	6095
STANLEY NO. 2	19393	6095
STANLEY NO. 3	19393	6095
STAR	19756	6199
STAR ROUTE	19104	5970
STEPHANITE	37553	7980
STONY POINT	16727	1489
SUN UP	18912	5910
SWANSEA	6580	434
SYNDICATE	17739	2185A
TELEGRAPH	7457	780
THOMPSON	29115	6394
TIP TOP	9424	1248
TRAILS END	1111727	20568
DEVIDE	1111727	20568
BLACK HAWK EXTENSION	1111727	20568
TRIANGLE	1111575	20347
TRIANGLE	1178833	20739
UNCLE NED	7747	915
UNDINE	8132	1090
VESTAL	19531	6252
W. L. STEPHENS	22919	7017
WABASH	7492	617
WEDGE	1111574	20348
WEIMAR	20178	6513
WELLINGTON	14343	2212
WIDE AWAKE	19113	366
YANKY BOY	21107	6969
YELLOW JACKET	6703	364
ZONA K.	26370	8228
ZULU	9723	1457

County of Dolores  
State of Colorado.

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# Lawyers Title Insurance Corporation

National Headquarters  
Richmond, Virginia

## SCHEDULE B—Section 1

### Requirements

The following are the requirements to be complied with:

Item (a) Payment to or for the account of the grantors or mortgagors of the full consideration for the estate or interest to be insured.

Item (b) Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record, to-wit:

1. Release of Deed of Trust from Atlantic Richfield Company, a Pennsylvania Corporation, to the Public Trustee of Dolores County for the use of Gerald F. Lynton and Martha A. Lynton, dated June 8, 1982 and recorded July 1, 1982 in Book 206 at page 7.
2. Release of Deed of Trust from Rico Development Corporation, a Colorado Corporation, to the Public Trustee of Dolores County for the use of Wayne E. Webster, dated September 1, 1988 and recorded September 1, 1988 in Book 238 at page 349.
3. Release of Deed of Trust from Rico Development Corporation, a Colorado Corporation, to the Public Trustee of Dolores County for the use of Marion D. Sell, dated September 1, 1988 and recorded September 1, 1988 in Book 238 at page 355.
4. Deed from Rico Development Corporation, a Colorado Corporation, to the buyer conveying the subject property.
5. Deed of Trust from Rico Investment Corporation, a Utah Corporation, to the Public Trustee of Dolores County for the use of Rico Development Corporation, a Colorado Corporation, to secure \$750,000.00 as to a portion of subject property.

NOTE: No certification is made as to status of ad valorem taxes.

The subject property may be located in a special taxing district.

A certification of taxes due listing each taxing jurisdiction may be obtained from the County Treasurer or the County Treasurer's authorized agent.

Information regarding special districts and the boundaries of such districts may be obtained from the Board of County Commissioners, the County Clerk and Recorder, or the County Assessor.

# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

## SCHEDULE B—Section 2

### Exceptions

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date hereof but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this Commitment.
6. Any ad valorem taxes due or payable.
7. All streets, alleys, utility poles and easements, rights of way, drainage facilities and watercourses visible and of record.
8. Any loss or damage occasioned by the fact that a portion of subject property lies within the boundaries of patented mining claims, except patented lodes and millsites insured hereunder.
9. Any interest of Herbert S. Butler, deceased, as to Lot 38, Block A, Piedmont Addition, Town of Rico, due to the fact that Deed recorded in Book 66 at page 431 did not include Piedmont Addition following Block A in the description.
10. All that portion conveyed to Dolores County in Deeds recorded in Book 87 at page 198 and Book 187 at page 45.
11. All that portion conveyed to Colorado State Department of Highways in Deed recorded in Book 110 at page 590.
12. Right of way easements to Town of Rico for water line recorded in Book 175 at page 239.

Continued on following page

Exceptions numbered NONE are hereby omitted.

The Owner's Policy to be issued, if any, shall contain the following items in addition to the ones set forth above:

- (1) The Deed of Trust, if any, required under Schedule B—Section 1, Item (b).
- (2) Unpatented mining claims; reservations or exceptions in patents or in Acts authorizing issuance thereof; water rights, claims or title to water.
- (3) Any and all unpaid taxes, assessments and unredeemed tax sales.

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# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS  
RICHMOND, VIRGINIA

SCHEDULE B/2 cont'd.

13. All that portion conveyed to Town of Rico in Deed recorded in Book 229 at page 234.
14. Any portion of subject property lying in and being used as a State Highway.
15. Any loss or damage occasioned by the fact that in Deed recorded in Book 193 at page 324, subject property was conveyed by tract name (as assessed by the Dolores County Assessor) only and not by metes and bounds description, as to a portion of subject property.
16. Right of way to County of Dolores recorded in Book 175 at page 231.
17. Portions conveyed to The Department of Highways, State of Colorado in Book 110 at page 89 as to Santa Clara Lode, Survey Lot No. 664, and in Book 216 at page 326.
18. Easement to Edward G. Merritt, Jr. recorded in Book 197 at page 348.
19. Easements recorded in Book 28 at page 396 as to Matchless Lode, Survey Lot No. 6739; in Book 49 at page 69 as to Mountain Spring Lode, Survey Lot No. 6129; in Book 48 at page 403 as to Skeptical No. 1 Lode, Survey Lot No. 1900; in Book 48 at page 402 as to Weimer Lode, Survey Lot No. 6513.
20. Rights of way recorded in Book 60 at pages 293, 322 and 323 as to Princeton Lode, Survey Lot No. 2258, and in Book 54 at page 299 as to Richmond Lode, Survey Lot No. 6338.
21. Pole Line Easement recorded in Book 54 at page 373 as to Smuggler Lode, Survey Lot No. 5912.
22. All that portion of Yanky Boy Lode, Survey Lot No. 6969, conveyed in Deeds recorded in Book 197 at pages 348 and 351.
23. Course of the Dolores River and other watercourses and the continuing flow of water therein.
24. Lack of a right of access to all patented lodes and millsites not bordering on a public road or highway.
25. Any portion of patented lodes and millsites lying in and being described as Lots and Blocks in the Town of Rico.
26. Any loss or damage occasioned by the failure to probate the Estate of John Koenig, also known as John F. Koenig, in Dolores County to substantiate that Clarice D. Koenig, grantor in Quit Claim Deed to Joint Tenants recorded in Book 126 at page 187, was the sole heir of John F. Koenig, as to Pasadena Lode, Survey Lot No. 6434, Aetna Lode, Survey Lot No. 1956 and Bertha S Lode, Survey Lot No. 1955A.

Continued on following page

Schedule B/2 Page 2 No. 93-2-36

# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

SCHEDULE B/2 cont'd.

27. Any loss or damage occasioned by the failure to record a proper conveyance from Helen Wilmer to Gabriel Opotowsky, grantor in Deed recorded in Book 118 at page 474, as to Santa Cruz Lode, Survey Lot No. 6132.
28. Any loss or damage occasioned by the failure to record a proper conveyance from Silver Glad Mines, Inc., a Colorado Corporation, to Silver Bell Industries, Inc. grantor in Deed recorded in Book 165 at page 348, as to Santa Cruz Lode, Survey Lot No. 6132.
29. Rights of way to the Town of Rico recorded in Book 48 at pages 202 and 404 as to Lota Lode; in Book 54 at page 299 as to Alta and Eby Lodes, in Book 175 at pages 229, 230, 232, 233, 234, 236, 239 and 240 and in Book 256 at page 245.
30. Portions conveyed to The Department of Highways, State of Colorado, in Book 110 at page 89 as to A.B.G. Lode; in Book 111 at page 1 as to Elliott Lode, Columbia Millsite and Homestake and Little Cora Consolidated Placer; and in Book 216 at page 326.
31. Rights of way recorded in Book 60 at pages 293, 322 and 323 as to Crebec Lode; in Book 28 at page 394 as to Ethelena Lode; in Book 60 at page 293 as to Exchequer Lode; in Book 28 at page 467 as to General Sheridan Lode, in Book 49 at page 21 as to Homestake Lode; in Book 28 at page 396 as to Lota Lode and Mary Lode.
32. Reservation of 5/6 of all oil, gas and other minerals in Deed recorded in Book 133 at page 159 as to Buckeye Lode and Mac Lode; and all leases, assignments and easements with respect thereto.
33. All that portion of Hillside Lode conveyed in Deeds recorded in Book 197 at pages 348 and 351.
34. All that portion platted into Atlantic Cable Subdivision, Atlantic Cable Subdivision, Phase II and Atlantic Cable Subdivision, Phase III except Parcels 1, 2, 41 and 42.
35. Lack of a right of access from the land to any open public road, street or highway as to NE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 2, Township 40 North, Range 10 West, N.M.P.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 20, Township 40 North, Range 10 West, N.M.P.M.; N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 29, Township 40 North, Range 10 West, N.M.P.M.; SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$  of Section 14, Township 41 North, Range 10 West, N.M.P.M.; SE $\frac{1}{4}$ NW $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 35, Township 41 North, Range 10 West, N.M.P.M.

# Lawyers Title Insurance Corporation

NATIONAL HEADQUARTERS

RICHMOND, VIRGINIA

## COMMITMENT FOR TITLE INSURANCE

LAWYERS TITLE INSURANCE CORPORATION, a Virginia corporation, herein called the Company, for valuable consideration, hereby commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest covered hereby in the land described or referred to in Schedule A, upon payment of the premiums and charges therefor; all subject to the provisions of Schedules A and B and to the Conditions and Stipulations hereof.

This Commitment shall be effective only when the identity of the proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A hereof by the Company, either at the time of the issuance of this Commitment or by subsequent endorsement.

This Commitment is preliminary to the issuance of such policy or policies of title insurance and all liability and obligations hereunder shall cease and terminate six (6) months after the effective date hereof or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue such policy or policies is not the fault of the Company. This Commitment shall not be valid or binding until countersigned by an authorized officer or agent.

IN WITNESS WHEREOF, the Company has caused this Commitment to be signed and sealed, to become valid when countersigned by an authorized officer or agent of the Company, all in accordance with its By-Laws. This Commitment is effective as of the date shown in Schedule A as Effective Date.

### CONDITIONS AND STIPULATIONS

1. The term "mortgage," when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquires actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and the Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.

Lawyers Title Insurance Corporation

By: *Marvin C. Bowling, Jr.*  
President

Attest:

*John H. Smith*  
Secretary.

